

Entered -08-07-02 - sb CL 02L0546- GWENDOLYN BURNS

CLAIM OF: KEITH I. MINTON

658 Killian Street Atlanta, Georgia 30312

02- R-1764

For vehicular damages alleged to have been sustained when a limb fell from a tree located in the public right-of-way and struck the trunk of a vehicle on June 3, 2002 at 658 Killian Street.

## BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to KEITH I. MINTON the sum of \$612.73 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained when a limb fell from a tree located in the public right-of-way and struck the trunk of a vehicle on June 3, 2002 at 658 Killian Street as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED:

LINDA K. DISANTIS CITY ATTORNEY

FAVORABLEAREPORENS NEWELL
COMM. P. S. DEPUTY CITY ATTORNEY

DATE 10/15/02

CHAIR:

Maler Myllif

Clara Harislan

OCT 2 8 2002

MUNICIPAL CLERK ATLANTA, GEORGIA

02-R-1764

A RESOLUTION

BY PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to Keith Minton in the sum of \$612.73 in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained when a limb fell from a tree located in the public right-of way and struck the trunk of a vehicle on June 3, 2002 at 658 Killian Street as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

ADOPTED by the Council APPROVED by the Mayor Municipal Clerk, CMC

OCT 21, 2002 OCT 28, 2002

## **DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 02L0546	Date: <u>October 1, 2002</u>
Claimant /Victim KEITH I. MINTON	
BY: (Atty) (Ins. Co.)	2
Address: 658 Killian Street, Atlanta, Georgia 3031	(12.72 Podily Injury \$
Subrogation: Claim for Property damage 5	2 612.73 Bodily Injury \$  tten, Proper X Improper  X Ante Litem (6 Mo.) X  ce: 658 Killian Street
Date of Notice: //19/02 Method: Wil	V Ante Litem (6 Mo.) X
Conforms to Notice: U.C.G.A. 930-33-3	A Ante Enem (0 Mo.) A
Date of Occurrence 0/3/02 Flat	L AFFAIRS Division Parks
Department PARKS, RECREATION & COLTONA  Disci	plinary Action:
Employee involved Disci	pinary rection.
NATURE OF CLAIM: Claimant's parked vehicle	sustained property damages when a limb fell from a tree that
was located in the City's right-of-way and struck the tr	unk of the vehicle. An investigation determined that the City
was on notice of said hazard but failed to adequately r	remove the dead limbs.
INVESTIGATION:	
	Others Written Oral
Statements: City employee Claimant	Others Written Oral Other
Pictures Diagrams Reports: Police	ce Dept Report X Other
Traffic citations issued: City Driver	Claimant Driver
Citation disposition: City Driver	Claimant Driver
BASIS OF RECOMMENDATION:	
Function: Governmental X	MinisterialOtherDamages reasonable _X
Improper Notice More than Six Months	Other Damages reasonable X
City not involved Offer reie	cted Compromise settlement
Repair/replacement by Ins. Co.	Repair/replacement by City Forces
Claimant Negligent City Negligent	Cted Compromise settlement  Repair/replacement by City Forces  X _Joint Claim Abandoned
5 5	
	Respectfully submitted,
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	X/wa dela Dun
	INVESTIGATOR - GWENDOLYN BURNS
	INVESTIGATOR - GWENDOLTN BORNS
DECOMMENDATION.	
RECOMMENDATION:	
Pay \$ 612.73 Adverse Account of	harged AA01 X 2J012P012H01
Claims Manager:	Concur/date 100202
Committee Action:	Council Action
FORM 23-61	

## Atlanta City Council

## Regular Session

CONSENT I Pgs. 1-14; Except 02-o-1643; 02-o-1795 02-R-1803; 02-R-1729 ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y	Smith	Y	Archibong	Y	Moore	Y	Mitchell
Y	Starnes	NV	Fauver	NV	Martin		Norwood
Y	Young	Y	Shook	Y	Maddox		Willis
Y	Winslow	Y	Muller	NV	Boazman	NV	Woolard

IMENAC A DODG	ICD ON CONCENT	10/21/02 Council Meeting	
	TED ON CONSENT	ITEMS ADVERSED	
<b>AGENDA</b> 1. 02-O-1368	45 00 D 1766	ON CONSENT AGENDA	
2. 02-O-1710	45. 02-R-1766 46. 02-R-1767	48. 02-R-1746	
3. 02-O-1710	47. 02-R-1768	49. 02-R-1747	
4. 02-O-1645	47. UZ-R-1708	50. 02-R-1748	
5. 02-O-1646		51. 02-R-1749	
6. 02-O-1647		52. 02-R-1750	
7. 02-O-1648		53. 02-R-1751	
8. 02-O-1672		54. 02-R-1752	
9. 02-O-1072		55. 02-R-1753	
10. 02-O-1728		56. 02-R-1754	
11. 02-O-1728		57. 02-R-1755	
12. 02-O-1779		58. 02-R-1756	
13. 02-O-1779		59. 02-R-1757	
14. 02-O-1783		60. 02-R-1758 61. 02-R-1759	
15. 02-O-1790		62. 02-R-1366	
16. 02-O-1791		02. 02-K-1300	
17. 02-O-1661			
18. 02-O-1793			
19. 02-O-1584			
20. 02-O-1636			
21. 02-0-1738			
22. 02-R-1176			
23. 02-R-1736			
24. 02-R-1737			
25. 02-R-1745			
26. 02-R-1769			
27. 02-R-1716			
28. 02-R-1740			
29. 02-R-1735			
30. 02-R-1797			
31. 02-R-1800			
32. 02-R-1663			
33. 02-R-1780			
34. 02-R-1802			
35. 02-R-1588			
36. 02-R-1773			
37. 02-R-1787			
38. 02-R-1799			
39. 02-R-1760			
40. 02-R-1761			
41. 02-R-1762			
42. 02-R-1763			
43. 02-R-1764			
44. 02-R-1765			

Consent I Vote:

Consent I Vote: 12 Yeas; 0 Nays (See RCS #4102)
Items Removed from Consent: 02-O-1643; 02-O-1795; 02-R-1803; 02-R-1729